

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

DODO INTERNATIONAL, INC., *et al.*,

Plaintiff,

v.

RICHARD PARKER, *et al.*,

Defendant.

CASE NO. C20-1116-JCC

MINUTE ORDER

The following Minute Order is made by direction of the Court, the Honorable John C. Coughenour, United States District Judge:

On December 30, 2020, the Court ordered the parties that have appeared to file corrected corporate disclosure statements that comply with Local Civil Rule 7.1 and Plaintiffs to file an amended complaint that properly alleges diversity jurisdiction. (*See* Dkt. No. 37.) The Court also raised a concern that the presence of Klerson LLC, which filed a corporate disclosure statement identifying one of its members as “a Cayman-based fund,” could be a citizen of a foreign country, which could destroy the Court’s diversity jurisdiction. (*See id.* at 3–4.) The Court noted that if Klerson LLC were a citizen of a foreign country, the Court would request additional briefing regarding whether Klerson LLC was an indispensable party. (*Id.* at 4); *see Faysound Ltd. v. United Coconut Chems., Inc.*, 878 F.2d 290, 294 (9th Cir. 1989) (“Where an alien is made co-defendant with a citizen-defendant by an alien plaintiff, . . . there is no jurisdiction over the

1 alien. If the alien defendant is indispensable . . . there is no jurisdiction at all.”)

2 Klerson LLC filed an amended corporate disclosure statement confirming that it is, in
3 fact, a foreign citizen. (*See* Dkt. No. 40 at 2.) In response, Plaintiffs filed an amended complaint
4 still naming Klerson LLC as a defendant and then a notice voluntarily dismissing their claims
5 against Klerson LLC with prejudice. (*See* Dkt. Nos. 41, 42.)

6 Upon further consideration, the Court declines to require additional briefing regarding
7 whether Klerson LLC is an indispensable party at this time because only one other defendant has
8 appeared. Any defendant that believes that Klerson LLC is an indispensable party may move to
9 dismiss on that basis at the appropriate time.

10 DATED this 18th day of February 2021.

11 William M. McCool
12 Clerk of Court

13 s/Paula McNabb
14 Deputy Clerk